IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE C.V.RAMULU**

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**WRIT PETITION NO : 152 of 1998**

Between:

S.K. Mynuddin S/o S.K. Farid
R/o Pragathi Nagar, Nellore Dist.

**..... PETITIONER**

AND

1 The Depot Manager
Nellore - I Depot, Nellore Dist.
2 The Regional/Divisional Manager
Nellore
3 The Vice Chairman Cum Managing Director A.P.S.R.T.C.,
Musheerabad, Hyderabad

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Certiorari to Call for Records pertaining to No.Steno/27 (55)/89-DVM(N), dt: 28-2-1990 passed confirming the Final Orders of the Ist Respondent in A.P.S.R.T.C.No.02/104(37)/88-NLR, dt: 23-2-1989 and 2-1-1990, and quash the same as illegal, arbitrary and consequently to direct the Respondents to Restore the stoppage of Increments for two years and Direct them to pay the Future Increments, whenever they fall due.

**Counsel for the Petitioner: MR.B.SUDHAKAR REDDY & NEERAJA REDDY**

**Counsel for the Respondent Nos.1 to 3: (SC FOR A.P.S.R.T.C.)**

**The Court made the following :**

ORDER:

This writ petition is filed challenging the proceedings dated 28.2.1990 of the Divisional Manager, A.P.S.R.T.C., Nellore, confirming the order passed by the Depot Manager, Nellore, through his proceedings dated 23.2.1989 and 2.1.1990 imposing the punishment of postponement of two increments with cumulative effect.

There is no necessity to go into all other details since the punishment imposed on the petitioner i.e., stoppage of two increments with cumulative effect is a major punishment, the respondent-Corporation ought to have passed such an order only after subjecting the petitioner to detailed enquiry as per regulations of the Corporation. Since the said course of action was not adopted in major punishment of stoppage of two increments, the order impugned as confirmed by the appellate authority is liable to be set aside.

The writ petition is, accordingly, allowed. No order as to costs.

However, this will not prevent the respondents from taking appropriate disciplinary proceedings after conducting a detailed enquiry into the matter afresh.

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(C.V.RAMULU, J.)

20.6.2005

kpr

To

1 The Depot Manager
Nellore - I Depot, Nellore Dist.
2 The Regional/Divisional Manager
Nellore
3 The Vice Chairman Cum Managing Director A.P.S.R.T.C.,
Musheerabad, Hyderabad

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